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Attorneys for Complainant

BEFORE THE DEPARTMENT OF BUSINESS OVERSIGHT
OF THE STATE OF CALIFORNIA

| | | |
|------------------------------|---|----------------------------------|
| In the Matter of: |) | ESCROW LICENSE NO.: 963-1955 |
| |) | |
| THE COMMISSIONER OF BUSINESS |) | FINAL ORDER TO DISCONTINUE |
| OVERSIGHT, |) | VIOLATIONS PURSUANT TO FINANCIAL |
| |) | CODE SECTION 17602 |
| Complainant, |) | |
| |) | |
| v. |) | |
| |) | |
| MONTE CARLO ESCROW, INC., |) | |
| |) | |
| Respondent. |) | |

TO: MONTE CARLO ESCROW, INC.
10803 Foothill Blvd., Suite 109
Rancho Cucamonga, California 91730

The Commissioner of Business Oversight (Commissioner) finds that:

1. On March 20, 2018, the Commissioner issued an Order to Discontinue Violations Pursuant to Financial Code section 17602 (Order) to Monte Carlo Escrow, Inc. (Monte Carlo) based on the Commissioner's finding that Monte Carlo:

- a. Deposited escrow funds into its general account, failing to designate those funds as “trust funds, “escrow accounts,” or under some other appropriate name indicating that the funds are not the funds of the escrow agent, in violation of Financial Code section 17409, subdivision (a);
- b. Knowingly kept or caused to be kept non-trust funds in its trust account, in violation of Financial Code section 17411;
- c. Failed to issue and post all receipts and disbursements of moneys in the escrow ledger as of the date of such receipts and disbursements, regardless of the date of posting funds, in violation of California Code of Regulations, title 10, section 1732.1;
- d. Failed to establish and maintain currently: (a) the escrow ledger for each escrow; (b) escrow liability controlling account; and/or (c) cash receipt and disbursement journal of all receipts and checks; and failed to perform timely reconciliations and/or clear old reconciling items over the course of multiple consecutive months, in violation of California Code of Regulations, title 10, section 1732.2;
- e. Withdrew, paid out, or transferred escrow funds in excess of the amount to the credit of such account at the time of such withdrawal, payment, or transfer, in violation of California Code of Regulations, title 10, section 1738.1; and
- f. Failed to advise all parties to an escrow transaction of its affiliation with a party to the escrow transaction before being employed as escrow agent as required under California Code of Regulations, title 10, section 1740.1.

2. On or around April 27, 2018, the Commissioner personally served upon Monte Carlo (i) the Order, and (ii) the Statement of Facts in Support of the Order to Discontinue Violations Pursuant to Financial Code section 17602 and Notice of Intent to Make Order Final.

3. The Commissioner has received no request for a hearing from Monte Carlo and the time period in which to request a hearing pursuant to Financial Code section 17604 has expired.

GOOD CAUSE APPEARING THEREFORE, and pursuant to the provisions of Financial Code section 17604, the Order to Discontinue Violations Pursuant to Financial Code section 17602 described in paragraph 1 above is hereby final.

1 NOW, BASED ON THE FOREGOING, Monte Carlo Escrow, Inc. is hereby ORDERED
2 under the provisions of Financial Code sections 17602 and 17604, to immediately discontinue the
3 violations set forth above.
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5 Dated: May 30, 2018
6 Los Angeles, California

JAN LYNN OWEN
Commissioner of Business Oversight

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9 By _____
10 Mary Ann Smith
11 Deputy Commissioner
12 Enforcement Division
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